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**Testimony of David Sutherland – Director of Government Relations
Before the Education Committee – February 15th, 2013**

**In Opposition to Section 22 of Bill 6357
AN ACT IMPLEMENTING THE BUDGET RECOMMENDATIONS OF THE
GOVERNOR CONCERNING EDUCATION**

On behalf of The Nature Conservancy, I would like to express our opposition to Section 22 of Bill 6357, which would transfer \$1 million every quarter, or \$4 million per year, from the Community Investment Act (CIA) to the Healthy Food Certification program. While the Governor's proposal would transfer the current balance of the Healthy Food program into the CIA account, this would not even cover one year of the amount being diverted from the CIA. After this first year, this diversion would be an annual loss of \$4 million to the other programs funded by the CIA.

The Healthy Food Certification Program is a very worthwhile program, but our state government has hundreds of worthwhile programs. The Community Investment Act was established in 2005 by the legislature with the understanding that its dedicated revenues would be directed to four state initiatives, affordable housing, farmland preservation, open space acquisition, and historic preservation. The program was amended a few years later by increasing the fee to cover a different aspect of agriculture. All of the programs funded by this dedicated funding source have a direct relationship to the real estate market, the activity of which generates the fees and revenues for the CIA.

To divert CIA funds to any additional programs, but particularly to ones which do not have this direct connection with real estate activity or to the original funded programs, would basically turn the program into simply another tax. It would set a precedent which would probably eventually open the fund up to a large number of programs, defeating the original purpose of the fund.

Since the affordable housing, open space, and historic preservation programs do not receive a set dollar amount of the CIA revenues, but only a percentage of the funds, which in average years does not equal \$4 million, this proposal would actually provide more funds to the Healthy Foods program than to these original "member" programs of the CIA.

We thank the legislature for its past strong support of the Community Investment Act, and the programs which receive crucial funding through it, and urge you to reject this provision of Bill 6357.